

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

For the

District of

Massachusetts

Howard Kaplan

v.

Wend Management, Inc.,
Wendy's Old Fashioned
Hamburgers of New York

SUMMONS IN A CIVIL ACTION

04 10856 MEL

CASE NUMBER:

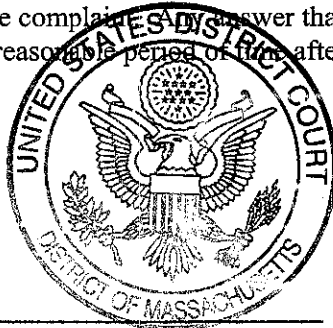
TO: (Name and address of Defendant)

Wend Management Inc.
30 Turnpike Road, Unit #1
Westborough, MA 01581

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Shannon Liss-Riordan, Esq.
Rebecca G. Pontikes, Esq.
Pyle, Rome, Lichten & Ehrenberg, P.C.
18 Tremont Street, Suite 500
Boston, Ma 02108

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. A copy of your answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



TONY ANASTAS

CLERK

[Signature]

(By) DEPUTY CLERK

APR 29 2004

DATE

mike

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me⁽¹⁾ | DATE



Worcester County Sheriff's Office • P.O. Box 1066 • Worcester, MA 01613 • (508) 752-1100
Worcester, ss

05/04/2004

MAY 05 2004

I hereby certify and return that on 05/03/2004 at 11:35am I served a true and attested copy of the Summons and Complaint request for compensatory and consequent to aid damages in this action in the following manner: To wit, by delivering in hand to BRIAN FRESKA, agent, person in charge at the time of service for WEND MANAGEMENT INC. at 30 TURNPIKE RD #1, WESTBOROUGH, MA. Fees: Service 30.00, Travel 16.32, Conveyance 4.50, Attest 5.00 & Postage and Handling 1.00, Total fees: \$56.82

Deputy Sheriff Michael J Ahearn

[Handwritten signature]

Deputy Sheriff

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL	100	100	100
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\$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server